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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 17 April 2017 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Turkey to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, with reference to Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016), has the honour to inform the Committee of the measures taken by the Republic of Turkey to effectively implement resolution 2321 (2016), in accordance with paragraph 36 of that resolution.

In addition to the Prime Ministry's circular directives Nos. 2006/36 and 2016/11 pertaining to the implementation of Security Council resolutions 1718 (2006), 1874 (2009) and 2270 (2016), by which the Council imposed sanctions on the Democratic People's Republic of Korea, the Council of Ministers decision No. 2017/9950 was adopted on 20 February 2017 and entered into force on 23 March 2017 upon its publication in the Official Gazette as a consolidated text that translates all additional measures included in Security Council resolutions 1718 (2006), 1874 (2009), 2270 (2016) and 2321 (2016) and orders strict compliance with its provisions. The Council of Ministers decision repeals the Prime Ministry's circular directive No. 2009/17.

Council of Ministers decision No. 2017/9950 and its annexes,* which have thus become part of Turkish national law, and their English translation, as well as the completed optional checklist for measures contained in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) relevant to Member States' national implementation reports, are attached hereto (see annex).

The Permanent Mission of Turkey would also like to reiterate that Turkey, as a member of all relevant control regimes, has in place all the tools necessary to effectively implement Security Council resolution 2321 (2016).

Information on Turkey's implementation with regard to arms control, disarmament and non-proliferation can be found in the national reports of Turkey contained in documents S/AC.44/2004/(02)/63 and Add.1, and updated information is available from the website of the Security Council Committee established pursuant to resolution 1540 (2004).

* The text of the Council of Ministers decision and its annexes are on file with the Secretariat and are available for consultation.

Annex to the note verbale dated 17 April 2017 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee

Optional checklist: measures contained in Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016) and 2321 (2016) relevant to Member States' national implementation reports

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Indicate measures (in detail):*
1. Prevent the direct or indirect supply, sale or transfer to DPRK of:	
(a) All arms and related materiel?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1 (Annex to the note verbale dated 18 May 2016 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee), Prime Ministry's circular directive 2006/36-1 (Annex to the note verbale dated 9 February 2007 from the Permanent Mission of Turkey to the United Nations addressed to the Chair of the Committee) prohibit the direct or indirect supply, sale or transfer of all arms and related materiel to DPRK
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit direct or indirect supply, sale or transfer of nuclear-, ballistic missile- or other WMD-related items or technology to DPRK
(c) Luxury goods?	Resolution Annex to Cabinet Decree 2017/9950, article 4, Prime Ministry's circular directive 2006/36-1 prohibit direct or indirect supply, sale or transfer of luxury goods to DPRK
(d) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-2, Prime Ministry's circular directive 2006/36-1 prohibit direct or indirect supply, sale or transfer of any item that could contribute to prohibited programmes or activities or evasion of sanctions to DPRK
(e) Prohibited items for repair, servicing, refurbishing, testing, reverse-engineering or marketing, regardless of whether ownership or control is transferred?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit direct or indirect supply, sale or transfer of prohibited items for repair, servicing or maintenance to DPRK
(f) New helicopters and vessels?	Resolution Annex to Cabinet Decree 2017/9950, article 22, prohibits direct or indirect supply, sale or transfer of new helicopters and vessels to DPRK
(g) Aviation fuel, including aviation gasoline, naphtha-type jet fuel, kerosene-type jet fuel and kerosene-type rocket fuel?	Resolution Annex to Cabinet Decree 2017/9950, articles 3 and 23, Prime Ministry's circular directive 2016/11-1 prohibit direct or indirect supply, sale or transfer of all kinds of aircraft and missile fuel that can be used for ballistic missile technology, to DPRK

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	*Indicate measures (in detail)*
2. Prohibit the procurement from the DPRK of:	
(a) All arms and related materiel?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit the procurement of all arms and related materiel from DPRK
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit the procurement of nuclear-, ballistic missile- or other WMD-related items or technology from DPRK
(c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit the procurement of any item that could contribute to prohibited programmes or activities or evasion of sanctions from DPRK
(d) Prohibited items for repair, servicing, refurbishing, testing, reverse-engineering and marketing, regardless of whether ownership or control is transferred?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1 prohibit the procurement of prohibited items for servicing, assistance, manufacture and maintenance, from DPRK
(e) Coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1 prohibit the procurement of coal, iron, iron ore, gold, titanium ore, vanadium ore and rare earth minerals from DPRK
(f) Copper, nickel, silver and zinc?	Cabinet Decree 2017/9950, article 20, prohibits the procurement of copper, nickel, silver and zinc from DPRK
(g) Statues?	Resolution Annex to Cabinet Decree 2017/9950, article 21, prohibits the procurement of statues from DPRK
3. Prevent the transfer to or from DPRK of financial transactions, technical training, advice, services (including brokering or other intermediary services) and assistance related to:	
(a) All arms and related materiel?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit all kinds of financial transactions, technical training, advice, services or assistance related to all arms and related materiel
(b) Nuclear-, ballistic missile- or other WMD-related items or technology?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit all kinds of financial transactions, technical training, advice, services or assistance related to nuclear-, ballistic missile- or other WMD-related items or technology
(c) Any item that could contribute to prohibited programmes or activities or evasion of sanctions?	Resolution Annex to Cabinet Decree 2017/9950, article 3, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit all kinds of financial transactions,

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Indicate measures (in detail)*
	technical training, advice, services or assistance related to any item that could contribute to prohibited programmes or activities or evasion of sanctions listed by the United Nations
(d) Engagement in the hosting of trainers, advisers or other officials for the purpose of military-, paramilitary- or police-related training?	Resolution Annex to Cabinet Decree 2017/9950, articles 3 and 10, Prime Ministry's circular directive 2016/11-1, Prime Ministry's circular directive 2006/36-1 prohibit technical, arms-related training of DPRK nationals
4. Prohibit the transfer of any items if a designated individual or entity is the originator, intended recipient or facilitator of the item's transfer; in accordance with its national legal processes, freeze funds, other financial assets and economic resources owned or controlled by, and ensure that none are made available to benefit designated individuals or entities, entities of the Government of the DPRK or the Worker's Party of Korea, those acting on their behalf or at their direction and entities owned or controlled by them?	Resolution Annex to Cabinet Decree 2017/9950, article 2, Prime Ministry's circular directive 2006/36-1 provide that authorities of Turkey shall freeze immediately the funds, other financial assets and economic resources that are in Turkey at the date of the adoption of Security Council resolution 1718 (2006) or at any time thereafter, that are owned or controlled, directly or indirectly, by the persons or entities designated by the Committee or by the Security Council as being engaged in or providing support for, including through other illicit means, the nuclear-, other WMD- and ballistic missile-related programmes of the DPRK, or by persons or entities acting on their behalf or at their direction, and shall ensure that any funds, financial assets or economic resources are prevented from being made available by Turkish citizens or by any persons or entities within Turkey to or for the benefit of such persons or entities
5. Prevent (restrict) the entry or transit of designated individuals together with their family members; any individual acting on behalf or at the direction of a designated individual or entity or violating the sanctions or assisting in their evasion; members of the Government of the DPRK, officials of that Government and members of the DPRK armed forces if the State determines that such members or officials are associated with the DPRK nuclear or ballistic missile programmes or other activities prohibited by resolutions?	Cabinet Decree 2017/9950, article 2, Prime Ministry's circular directive 2006/36-1 provide that Turkish authorities shall take the necessary steps to prevent the entry into or transit through Turkey of designated persons, together with their family members, as being responsible for, including through supporting or promoting, DPRK policies in relation to the DPRK nuclear-, ballistic missile- and other WMD-related programmes, except for cases in which the entry of Turkish citizens in Turkey is concerned
6. Financial measures:	
(a) Prevent the provision of financial services or the transfer of any financial or other assets or resources, including bulk cash and gold and through cash and gold couriers, that could contribute to prohibited programmes or activities of the DPRK or to the evasion of sanctions, and exercise enhanced vigilance in this regard?	Resolution Annex to Cabinet Decree 2017/9950, article 3, prohibits all kinds of financial services, transaction of other assets or resources (including gold), technical training, advice, services or assistance related to all arms and related materiel

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Indicate measures (in detail)*
(b) Prohibit DPRK banks from opening and operating new branches, subsidiaries or representative offices; establishing new joint ventures; or taking an ownership interest in or establishing or maintaining correspondent relationships with banks within a State's jurisdiction or in its territory, unless such transactions have been approved by the Committee in advance?	Banking Law No. 5411, article 6, provides for the opening of foreign banks, branches, subsidiaries, representative offices, the establishment of new joint ventures and the Banking Regulation and Supervision Board shall determine their fields of activity and financial reporting and audit procedures as well as the details regarding the temporary suspension or revocation of their activities All relevant institutions, the Banking Regulation and Supervision Board in particular, have been duly informed by the Ministry of Foreign Affairs of Turkey about Security Council resolutions 2094 (2013) and 2270 (2016) prohibiting DPRK banks from opening and operating new branches, subsidiaries or representative offices; establishing new joint ventures; or taking an ownership interest in or establishing or maintaining correspondent relationships with banks within Turkey's jurisdiction or in Turkey
(c) Prohibit financial institutions from opening representative offices or subsidiaries or banking accounts in the DPRK?	All relevant institutions (the Ministry of Finance, the Capital Markets Board of Turkey, the Banking and Regulation Supervision Board and the Banks Association of Turkey) have been duly informed by the Ministry of Foreign Affairs of Turkey about Security Council resolutions 2094 (2013) and 2270 (2016) prohibiting all financial institutions from opening representative offices or subsidiaries or banking accounts in DPRK
(d) Prohibit States from having representative offices, subsidiaries or banking accounts in the DPRK?	All relevant institutions, the Banking Regulation and Supervision Board in particular, have been duly informed by the Ministry of Foreign Affairs of Turkey about Security Council resolutions 2094 (2013) and 2270 (2016) prohibiting all States from having representative offices, subsidiaries or banking accounts in DPRK
(e) Prevent the provision of public and private financial support from within their territories or by persons or entities subject to their jurisdiction for trade with DPRK, except as approved in advance by the Committee on a case-by-case basis?	Resolution Annex to Cabinet Decree 2017/9950, article 23, prohibits public and private financial support from within Turkey or by persons or entities subject to Turkish jurisdiction for trade with DPRK, except as indicated
7. Prevent new commitments for grants, financial assistance or concessional loans to DPRK, except for humanitarian and developmental purposes or the promotion of denuclearization?	Resolution Annex to Cabinet Decree 2017/9950, article 23, prohibits new commitments for grants, financial assistance or concessional loans to DPRK, except as indicated
8. Inspect in the State's territory, including its airports, seaports and free trade zones, the cargo to or from the DPRK, or brokered or facilitated by the DPRK or its nationals, or by individuals or entities acting on their behalf, or transported on DPRK flagged vessel or aircraft?	Resolution Annex to Cabinet Decree 2017/9950, articles 5, 13 and 15, and the Prime Ministry's circular directive 2016/11-2, provide that all relevant institutions shall inspect the cargo to or from DPRK, or brokered or facilitated by DPRK or its nationals, or by individuals or entities acting on their behalf, or transported on DPRK-flagged vessel or aircraft, within or transiting through Turkey, including airports, seaports and free trade zones

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to:	*Indicate measures (in detail)*
(a) Under certain conditions and with certain exceptions, inspect vessels on the high seas and prohibit the provision of bunkering services to DPRK vessels if the State has information that provides reasonable grounds to believe that their cargo contains prohibited items?	Resolution Annex to Cabinet Decree 2017/9950, articles 5, 9, 13 and 15, provide that relevant institutions and organizations shall inspect third-country vessels on the high seas on the condition of the consent of the flag State if there is doubt that the vessel is transporting items subject to embargo, and in cases where the flag State does not consent to inspections on the high seas, the vessel shall be directed by the relevant institutions and organizations to a port where the flag State shall consent so that the necessary inspections can be carried out, and if prohibited items are detected after above-mentioned inspections, relevant institutions and organizations shall seize and destroy the items, and logistic support services other than humanitarian services shall not be provided to DPRK vessels if there is reasonable suspicion that they transport items subject to embargo
(b) Prohibit their nationals and those in their territories from leasing or chartering their flagged vessels or aircraft or providing crew services to the DPRK?	Resolution Annex to Cabinet Decree 2017/9950, article 8, provides that, apart from the exceptional cases determined by the Committee on a case-by-case basis, relevant institutions and organizations shall prevent the leasing of vessels or aircraft and the providing of crew services to DPRK, and this prohibition shall also apply with respect to any individuals or entities that violate or do not conform with Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013) and 2270 (2016)
(c) Prohibit their nationals from procuring vessel and aircraft crewing services from the DPRK?	Resolution Annex to Cabinet Decree 2017/9950, article 17, provides that procurement of vessels from DPRK is prohibited and the relevant institutions and organizations shall prevent aircraft crewing services from DPRK
(d) Prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from registering vessels in the DPRK, obtaining authorization for a vessel to use the DPRK flag and from owning, leasing, operating or providing any vessel classification, certification or associated service, or insuring any vessel flagged by the DPRK?	Resolution Annex to Cabinet Decree 2017/9950, article 9, provides that it is forbidden to register the vessels in the register of DPRK without exception, to authorize the use of the DPRK flag on board and to rent, operate, classify, certify, insure or provide the affiliated services of any DPRK-flagged vessel
(e) Prohibit their nationals, persons subject to their jurisdiction and entities incorporated in their territory or subject to their jurisdiction from providing insurance or reinsurance services to vessels owned, controlled or operated, including through illicit means, by the DPRK?	Resolution Annex to Cabinet Decree 2017/9950, articles 9 and 16, provide that the relevant institutions and organizations shall prevent the provision of insurance or reinsurance services to vessels owned or controlled by DPRK except in the exceptional situations determined by the Committee on a case-by-case basis

Have concrete measures, procedures, legislation, regulations or policies been adopted in order to	*Indicate measures (in detail)*
(f) Deregister any vessel that is owned, controlled or operated by the DPRK, and shall not register any such vessel that has been deregistered by another Member State, pursuant to paragraph 24 of resolution 2321 (2016)?	Resolution Annex to Cabinet Decree 2017/9950, article 18, provides that any vessel that is owned, operated or controlled by DPRK shall be deregistered, and any such vessel that has been deregistered by other countries shall not be re-registered
(g) Deny permission to any aircraft to take off from, land in or overfly the Member State's territory unless under the condition of landing for inspection or if the State has information that provides reasonable grounds to believe that the aircraft contains prohibited items, except in the case of an emergency landing?	Resolution Annex to Cabinet Decree 2017/9950, article 6, and Prime Ministry's circular directive 2016/11-5 provide that permission to take off, land or overfly shall be denied to any aircraft except for the purpose of inspection and in the event of emergencies if there are reasonable grounds to believe that the aircraft contains prohibited items
(h) Prohibit the entry into their ports of any vessel if the State has information that provides reasonable grounds to believe that the vessel is owned or controlled, directly or indirectly, by a designated individual or entity, or contains cargo the supply, sale, transfer or export of which is prohibited by the resolutions, unless entry is required in case of emergency or in the case of return to its port of origin, or for inspection, or unless the Committee determines in advance that such entry is required for humanitarian purposes or any other purposes consistent with the objectives of resolution 2270 (2016)?	Resolution Annex to Cabinet Decree 2017/9950, article 12, and Prime Ministry's circular directive 2016/11-6 provide that the entry into Turkish ports of any vessel shall be prevented if there is a reasonable doubt that the vessel is owned or controlled, directly or indirectly, by a designated individual or entity, or contains cargo the supply, sale, transfer or export of which is prohibited by the resolutions, unless entry is required in case of emergency or in the case of return to its port of origin, or for inspection, or unless the Committee determines in advance that such entry is required for humanitarian purposes
9. Under certain conditions, seize and dispose of prohibited items found during an inspection?	Resolution Annex to Cabinet Decree 2017/9950, articles 5 and 26, provide that relevant institutions and organizations shall seize and destroy the prohibited items found during an inspection
10. Prevent specialized teaching or training of DPRK nationals within their territories or by their nationals on disciplines that could contribute to the prohibited programmes or activities of the DPRK?	Resolution Annex to Cabinet Decree 2017/9950, articles 3 and 10, and Prime Ministry's circular directive 2016/11-1 prevent the teaching or training of DPRK nationals or by Turkish nationals, on the following, including, but not limited to, advanced physics, advanced computer simulation and related computer science, nuclear engineering, aerospace engineering, geographical navigation, aeronautical engineering, advanced chemical engineering, advanced mechanical engineering, advanced materials engineering, advanced electrical engineering and advanced industrial engineering and related disciplines

Abbreviations: DPRK, Democratic People's Republic of Korea; WMD, weapons of mass destruction.